

Message Text

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ACTION L-02

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C O N F I D E N T I A L OSLO 2332

FROM USDEL ANTARCTICA FOR L-OXMAN

E.O. 11652: GDS

TAGS: XV, TGEN, NO, PLOS

SUBJECT: CHILEAN OPENING STATEMENT AT EIGHTH ANTARCTIC MEETING

1. CHILE REP (ZEGERS) MADE OPENING STATEMENT AT EIGHTH ANTARCTIC CONSULTATIVE MEETING WHICH SETS FORTH JURIDICAL BASIS OF CHILEAN TERRITORIAL CLAIM AND CHILEAN INTERPRETATION OF ARTICLE IV OF ANTARCTIC TREATY.

2. INFORMAL DEL TRANSLATION OF RELEVANT PORTION ZEGERS SPEECH FOLLOWS. CONFERENCE TRANSLATION WILL BE FORWARDED TO DEPT. WHEN RECEIVED.
BEGIN SPEECH CHILE, SITUATED AT THE SOUTHERMOST LIMIT OF THE SOUTH AMERICAN CONTINENT, IS THE CLOSEST COUNTRY TO ANTARCTICA. LITTLE MORE THAN 400 NM SEPARATE HER FROM THE NEAREST ANTARCTIC LANDS, AND PUNTA AREANAS, IN THE STRAITS OF MAGELLAN, IS THE CLOSEST CITY TO THE ANTARCTIC CONTINENT IN THE ENTIRE SOUTHERN HEMISPHERE.

OUR ANTARCTIC INTEREST, THEN, IS DICTATED BY GEOGRAPHY AND A CLIMATE CLOSELY CONNECTED TO THE CONTINENT
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FROM WHICH COME THE ATMOSPHERIC AND OCEANIC

CURRENTS. AMONG THE LATTER, THE HUMBOLDT, WHICH WASHES
OUR SHORES FOR ABOUT 3000 KM, BRINGS US THE BENEFITS OF RICH FISHER
IES AND MARITIME GAME.

WE ARE NOT, HOWEVER, AN ANTARCTIC NATION SOLELY
BECAUSE OF AN INDUBITABLE GEOGRAPHICAL CONTINUITY AND
CONTIGUITY AND BY APPLICATION OF THE SECTOR THEORY,
BUT ALSO BY TITLE THAT COMES FROM THE COLONY AND A
SECULAR PRESENCE IN THE REGION. THE KINGS OF SPAIN,
CHARLES V AND PHILIP II, AUTHORIZED BY ROYAL GRANTS
("REALES CEDULAS") THE CONTROL BY THE GOVERNORS AND THE
CAPTAIN GENERAL OF CHILE, OF WHAT WAS THEN CALLED
"TERRA AUSTRALIS", AND THE REPUBLIC INHERITED THESE
RIGHTS AND DOMINION IN 1810, BY VIRTUE OF CLAIM
("LLAMADO") OF "UTIS POSSIDETIS". THROUGHOUT THIS HISTORY,
ACTS OF PURSUIT OF POSSESSION AND PHYSICAL PRESENCE BY
NATIONS KNEW NO INTERRUPTION.

CHILE SUBSCRIBED TO THE ANTARCTIC TREATY DEC. 1,
1959, BECAUSE OF THE ANTARCTIC POWER THAT SHE WAS AND
GAVE SOVEREIGN CONSENT TO THE LIMITATIONS THAT THE
TREATY IMPOSES, WITH KNOWLEDGE THAT SHE ENTERED INTO
A REGIME EXPRESSLY PRESERVING THE INTEGRITY OF HER
RIGHTS. AND SO, IT IS UNDERSTANDABLY THAT
MY COUNTRY SEES IN ARTICLE IV, WHICH FREEZES, WITHOUT
AFFECTING THEM, CLAIMS OF SOVEREIGNTY FROM THE MOMENT IT
COMES INTO FORCE IN THE STATUS IN WHICH THEY WERE THEN
FOUND, A GUARANTEE OF HER SOVEREIGN RIGHTS IN THE
CHILEAN ANTARCTIC SECTOR. END SPEECH

3. US DEL UNAWARE THAT QUOTE SECTOR THEORY UNQUOTE HAS
BEEN APPLIED IN ANTARCTICA BY CHILE OR OTHERS
BASED ON CONTIGUITY OF SOUTH AMERICAN CHILEAN TERRITORY
AS SUGGESTED PARA 3 ZEGERS STATEMENT. ANTARCTIC SECTORS
THOUGHT TO BEGIN AT ANTARCTIC COAST AND GO TO SOUTH POLE,
THUS NOT AFFECTING BROAD HIGH SEAS AREAS. IF CHILE HAS NOT
HERETOFORE ASSERTED ARCTIC TYPE SECTOR THEORY, QUESTION
ARISES WHETHER AREA OF CHILEAN CLAIM IS ENLARGED IN
VIOLATION OF ART. IV, PARA 2 OF ANTARCTIC TREATY BY
ZEGERS SPEECH. DEL REQUESTS OFFICE OF GEOGRAPHER TO
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PROVIDE INFORMATION ON GEOGRAPHICAL EFFECT OF THE TWO
THEORIES ON LAND AS WELL.

4. DEL NOTES REFERENCE TO QUOTE LITTLE MORE THAN 400
MILES UNQUOTE BETWEEN SOUTHERMOST CHILE PROPER AND
NORTHERNMOST ANTARCTIC ISLAND. THIS STATEMENT SHOULD
BE EXAMINED IN CONNECTION WITH PRIVATE CONVERSATION
WHERE ZEGERS CORRECTED ERRONEOUS ENGLISH TRANSLATION THAT

SAID QUOTE 4000 MILES UNQUOTE AND POSSIBLE NEW
SECTOR THEORY FOR ITS IMPACT ON NAVIGATION THROUGH DRAKE
PASSAGE WITH 200 MILE ZONES ON EACH SIDE. IN PARTICULAR,
WOULD THIS NEW THEORY ALSO AFFECT CHILEAN POSITION ON
NAVIGATION THROUGH BEAGLE CHANNEL AND OTHER STRAITS?

5. WHEN QUESTIONED, ZEGERS SAID BASIS OF CHILEAN CLAIM
WAS SET FORTH IN A STATEMENT RESPONDING TO STATEMENT BY
USG IN 1941. I REQUESTED TO DETERMINE WHETHER SECTOR
THEORY BASED ON CONTINGUITY OF SOUTH AMERICA WAS PART OF
THAT STATEMENT. I ALSO REQUESTED TO PROVIDE GUIDANCE
ON NECESSITY TO MAKE STATEMENT PRESERVING US POSITION
ON THE RECORD. ONLY OPPORTUNITY WILL NOW BE IN CLOSING
SPEECH JUNE 20, SINCE US DEL MADE OPENING STATEMENT
IMMEDIATELY FOLLOWING CHILE.

6. REPORT OF OTHER OPENING STATEMENTS FOLLOWS
SEPTEL.
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